IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 8553/2002

SMT. KANCHAN DEVI Vs. JAIPUR DEVELOPMENT AUTHORITY

DATE: 05.09.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Ms. Yasmin for
Mr. Kumud Singh for the petitioner.
Ms. Sonia Shandilya for the respondent.

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The petitioner is the daughter of deceased Gopal Lal and it was alleged that the plot was allotted in favour of the petitioner's father by the JDA and since he died on 10.12.94, therefore, after submitting death certificate the petitioner moved application before the JDA for allotment/possession of the said plot.

It is submitted on behalf of the respondent JDA that the present writ petition is not maintainable as the petitioner got alternative efficacious remedy to approach the JDA Appellate Tribunal to redress her grievance. Further, the facts mentioned by the petitioner are also controverted and submitted that as per the JDA record and the record of Lakha-Ji-Ki Dhani Grah Nirman Sahkari Samiti, the said plot has been

allotted to one Shri Prabhu Narain S/o Shri Gopal Lal and the Society has issued 'Patta' in his favaour.

Be that as it may, since several disputed questions are involved in this writ petition and the petitioner got the alternative remedy also, in such circumstances, while exercising extraordinary power under Article 226 of the Constitution of India, since the present writ petition involving several disputed questions of facts cannot be entertained by this Court.

Consequently, the writ petition fails being devoid of merit and the same is hereby dismissed.

(K.S. RATHORE),J.

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